

1 NEW YORK STATE SENATE

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4 THE STENOGRAPHIC RECORD

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9 ALBANY, NEW YORK

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May 12, 2015

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3:23 p.m.

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REGULAR SESSION

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SENATOR JOSEPH GRIFFO, Acting President

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FRANCIS W. PATIENCE, Secretary

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1 P R O C E E D I N G S

2 ACTING PRESIDENT GRIFFO: The
3 Senate will come to order.

4 I ask all present to please rise
5 and join with me as we recite the Pledge of
6 Allegiance to our Flag.

7 (Whereupon, the assemblage recited
8 the Pledge of Allegiance to the Flag.)

9 ACTING PRESIDENT GRIFFO: Today's
10 invocation will be offered by the Reverend Mark
11 Appell, senior pastor, Perth Bible Church in
12 Amsterdam, New York.

13 Reverend?

14 REVEREND APPELL: Thank you.

15 Let us pray.

16 Sovereign Creator of the universe,
17 we thank You for Your love, mercy and grace You
18 have showered on our great state.

19 I'm here today to bring a prayer of
20 invocation, so I humbly invoke Your help for
21 these legislators.

22 Grant them understanding of the
23 issues they will deal with today, wisdom to know
24 how to do and what to do, courage to vote and
25 speak the way You would have, and strength to be

1 faithful to the office You have called them to.

2 Guide them as they seek justice in
3 their dealings and equity for our state.

4 Protect our legislators and their families. I
5 ask for Your blessing on the Senate and the
6 people of our state.

7 I humbly make these requests to You
8 in the strong and mighty name of my Creator,
9 Lord and Savior, Jesus Christ.

10 Amen.

11 ACTING PRESIDENT GRIFFO: The
12 reading of the Journal.

13 THE SECRETARY: In Senate, Monday,
14 May 11th, the Senate met pursuant to
15 adjournment. The Journal of Friday, May 8th,
16 was read and approved. On motion, Senate
17 adjourned.

18 ACTING PRESIDENT GRIFFO: Without
19 objection, the Journal will stand approved as
20 read.

21 Presentation of petitions.

22 Messages from the Assembly.

23 Messages from the Governor.

24 Reports of standing committees.

25 Reports of select committees.

1 Communications and reports of state
2 officers.

3 Motions and resolutions.

4 Senator DeFrancisco.

5 SENATOR DeFRANCISCO: Mr.
6 President, could you please adopt the Resolution
7 Calendar, with the exception of Resolutions
8 2049, 2058, 2081 and 2116.

9 ACTING PRESIDENT GRIFFO: All in
10 favor of adopting the Resolution Calendar, with
11 the exception of Resolution Numbers 2049, 2058,
12 2081 and 2116, signify by saying aye.

13 (Response of "Aye.")

14 ACTING PRESIDENT GRIFFO: Opposed?

15 (No response.)

16 ACTING PRESIDENT GRIFFO: The
17 Resolution Calendar is adopted.

18 Senator DeFrancisco.

19 SENATOR DeFRANCISCO: Would you
20 please take up Resolution 2049, by Senator
21 Little, read it in its entirety, and then
22 recognize Senator Little.

23 ACTING PRESIDENT GRIFFO: The
24 Secretary will read.

25 THE SECRETARY: Legislative

1 Resolution Number 2049, by Senator Little,
2 memorializing Governor Andrew M. Cuomo to
3 proclaim May 10-17, 2015, as Fibromyalgia
4 Awareness Week in the State of New York.

5 "WHEREAS, An estimated 10 million
6 people in the United States and an estimated 3 to
7 6 percent of the world's population --

8 ACTING PRESIDENT GRIFFO: Can I
9 have some order in the chamber, please.

10 The Secretary will continue.

11 THE SECRETARY: "WHEREAS, An
12 estimated 10 million people in the United States,
13 and an estimated 3 to 6 percent of the world's
14 population, have been diagnosed with
15 fibromyalgia, an illness for which there is yet
16 no known cause or cure; and

17 "WHEREAS, A chronic syndrome that is
18 increasing at alarming rates, fibromyalgia causes
19 debilitating widespread pain and fatigue, appears
20 to have a genetic component, and occurs in women,
21 men, and children of all ethnicities; and

22 "WHEREAS, Patients with fibromyalgia
23 often have to learn to live with widespread pain
24 throughout their bodies, extreme fatigue, sleep
25 disorders, stiffness and weakness, migraine

1 headaches, numbness and tingling, and impairment
2 of memory and concentration; and

3 "WHEREAS, It often takes an average
4 of five years to receive a diagnosis of
5 fibromyalgia, and medical professionals
6 frequently are inadequately educated regarding
7 the diagnosis and treatment of fibromyalgia; and

8 "WHEREAS, A 2007 study found that
9 fibromyalgia patients spend between \$100 and
10 \$1,000 per month above insurance costs to see
11 healthcare providers; costs in the United States
12 are estimated between \$12 and 14 billion per
13 year, and account for the loss of 1 to 2 percent
14 of the nation's productivity; and

15 "WHEREAS, According to a survey of
16 1,168 fibromyalgia patients, 25 percent had
17 received disability payments, and total
18 healthcare costs may be two to three times
19 higher than patients without fibromyalgia;
20 failure to diagnose and adequately treat
21 fibromyalgia has deep financial implications for
22 patients and for the healthcare system; and

23 "WHEREAS, According to a fact sheet
24 provided by the National Fibromyalgia
25 Association, 90 percent of physicians agree there

1 is a need for more physician-oriented
2 information, and 82 percent of physicians agree
3 that fibromyalgia is difficult to treat with
4 currently available tools; use of complementary
5 and alternative medicine is two and a half times
6 higher in fibromyalgia patients; and

7 "WHEREAS, Increased awareness and
8 expanded knowledge of the realities of life with
9 fibromyalgia will allow the community at large to
10 better support people who struggle with the
11 challenges of this chronic pain disorder; and

12 "WHEREAS, A nonprofit charitable
13 organization, the National Fibromyalgia and
14 Chronic Pain Association has joined together with
15 other groups around the country, including the
16 International Institute for Human Empowerment,
17 Inc., based in New York State, to promote
18 fibromyalgia awareness and support, including
19 improved education, diagnosis, research and
20 treatment; and

21 "WHEREAS, The International
22 Institute for Human Empowerment, Inc., a
23 nonprofit organization in the Capital District of
24 New York, is the sponsor of various fibromyalgia
25 awareness events, as well as the Select

1 Empowerment Seminar report: 'Fibromyalgia:
2 Awareness, Advocacy, and Action,' encouraging the
3 medical community, patients, employers,
4 government health and human rights agencies,
5 educators, and caregivers to work together to
6 support and improve the lives of fibromyalgia
7 patients; and

8 "WHEREAS, The International
9 Institute for Human Empowerment, through the
10 leadership of its founder and executive director
11 Sue Shipe, Ph.D., recently initiated a
12 Fibromyalgia Task Force with the stated
13 intentions to secure support for a new edition of
14 'Fibromyalgia: Awareness, Advocacy and Action,'
15 of which 5,000 reports have already been
16 distributed locally, nationally, and
17 internationally; to create a scholarship for
18 fibromyalgia patients to access complementary
19 therapies which are not covered by insurance; and
20 to provide continued public conferences regarding
21 new research findings regarding fibromyalgia; and

22 "WHEREAS, To address the concern
23 that the average time to fibromyalgia diagnosis
24 is five years, the Fibromyalgia Task Force will
25 provide legislative awareness and seek

1 legislative action to improve physician education
2 by supporting medical schools in New York State
3 to provide fibromyalgia education for physicians;
4 and

5 "WHEREAS, This Legislative Body
6 recognizes the generous efforts of two of its
7 outstanding citizens on behalf of fibromyalgia
8 patients residing in New York State: Dorota L.
9 Hausner-Sypek, M.D., of the Center for
10 Rheumatology, Bone and Joint Center, Albany,
11 New York, supports many patients with
12 fibromyalgia and other rheumatic illnesses, and
13 collaborates with the International Institute for
14 Human Empowerment in distributing to patients and
15 other physicians copies of the report
16 'Fibromyalgia: Awareness, Advocacy and Action';
17 she has spoken at and has been a resource for
18 fibromyalgia conferences in the Capital District
19 of New York; and

20 "WHEREAS, This Legislative Body
21 recognizes the critical work of Social Security
22 Disability Attorney Ira Mendleson, III, Esq.,
23 of Buckley, Mendleson, Criscione and Quinn, P.C.,
24 of Albany, New York, for providing outstanding
25 service to fibromyalgia patients; Mr. Mendleson

1 presented at the Select Empowerment Seminar on
2 fibromyalgia in regard to the application process
3 for Social Security Disability, contributed an
4 expert article for the report 'Fibromyalgia:
5 Awareness, Advocacy and action,' and has
6 presented at fibromyalgia conferences in the
7 Capital District of New York; Mr. Mendleson is
8 also a valuable resource on the Fibromyalgia Task
9 Force of the International Institute for Human
10 Empowerment; and

11 "WHEREAS, The work of Dorota L.
12 Hausner-Sypek, M.D., and Ira Mendleson, III,
13 Esq., is greatly valued, especially by those
14 patients whose lives, families and careers have
15 been disrupted by fibromyalgia; and

16 "WHEREAS, Medical research in the
17 Capital District of New York is making
18 significant progress in the area of fibromyalgia
19 and chronic pain, and deserves the support of the
20 people of New York; and

21 "WHEREAS, The community's focus on
22 fibromyalgia and its impact on patients' lives
23 will help guarantee hope for a better future for
24 people with fibromyalgia; and

25 "WHEREAS, This Legislative Body

1 recognizes the needs of those chronically ill
2 people who suffer from fibromyalgia, and urges
3 all of our citizens to support the search for a
4 cure and assist those individuals and families
5 who deal with this devastating syndrome on a
6 daily basis; now, therefore, be it

7 "RESOLVED, That this Legislative
8 Body pause in its deliberations to memorialize
9 Governor Andrew M. Cuomo to proclaim May 10-17,
10 2015, as Fibromyalgia Awareness Week in the State
11 of New York; and be it further

12 "RESOLVED, That copies of this
13 resolution, suitably engrossed, be transmitted to
14 the Honorable Andrew M. Cuomo, Governor of the
15 State of New York; the International Institute
16 for Human Empowerment, Inc.; the Center for
17 Rheumatology, Bone and Joint Center, Albany,
18 New York; and Buckley, Mendleson, Criscione and
19 Quinn, P.C., Albany, New York."

20 ACTING PRESIDENT GRIFFO: Can I
21 have some order in the chamber, please.

22 Senator Little on the resolution.

23 SENATOR LITTLE: Thank you,
24 Mr. President.

25 Each year it is my privilege to ask

1 the body of this Senate to pass a resolution for
2 a Fibromyalgia Week so that more and more people
3 will become aware of what fibromyalgia is and the
4 devastating effects it has on those who are
5 afflicted with it.

6 Women represent more than 75 percent
7 of those who are affected with fibromyalgia,
8 although it can affect children and men as well.
9 And every patient presents differently, which
10 makes diagnosis a real challenge. Sometimes --

11 ACTING PRESIDENT GRIFFO: Excuse
12 me, Senator Little.

13 I'm going to ask one more time,
14 please. I know there's a lot of activity in the
15 chamber right now. But if you can take
16 conversations outside the chamber so we can hear
17 the members. It's very difficult for the
18 stenographer to hear right now. So please, if we
19 can take those conversations outside the chamber.

20 Senator Little, please continue.

21 SENATOR LITTLE: As I said,
22 fibromyalgia presents itself differently in every
23 single patient, making it very difficult to
24 diagnose. In some cases it is a primary disease,
25 in others may be secondary to lupus, rheumatoid

1 arthritis or even cancer.

2 But fibromyalgia patients also have
3 a very unique set of problems, because
4 fibromyalgia is not well known and the research
5 is not really accepted as well in medical
6 schools. Many doctors are not even aware of what
7 fibromyalgia can do.

8 So it can take a long time, many
9 years, for someone to actually finally be
10 diagnosed with fibromyalgia. Unfortunately, in
11 the meantime, patients often lose their jobs,
12 their financial independence, and unfortunately
13 even their spouses.

14 Treatment of fibromyalgia includes
15 medication to relieve symptoms, exercise as
16 tolerated, lifestyle changes to remove stress and
17 improve sleep quality, improved diet, and many
18 complementary therapies.

19 The disorder can be seen in
20 families, among siblings, among parents and
21 children, and it can affect and usually affects
22 people between the ages of 20 and 50 years old.

23 Delay of the diagnosis, as you can
24 imagine, can cause the person a lot of
25 discomfort, pain and expense. It also allows the

1 illness to progress, too often to the level of
2 absolute disability.

3 I really want to thank the Governor
4 for proclaiming this in previous years and doing
5 so this year, because awareness is so important,
6 as well as advocacy.

7 And we are joined today by several
8 people who are advocates for making fibromyalgia
9 better known and to improve research. And these
10 are people who are right here in our Albany area.
11 We have with us Dr. Hausner, Ira Mendleson, III,
12 and Sue Shipe, all from the Fibromyalgia Task
13 Force. We're fortunate that the Albany Medical
14 Center is very involved in the research of
15 fibromyalgia.

16 And I appreciate them for coming
17 today and ask all of you to join me in this
18 resolution.

19 Thank you.

20 ACTING PRESIDENT GRIFFO: The
21 question is on the resolution. All in favor
22 signify by saying aye.

23 (Response of "Aye.")

24 ACTING PRESIDENT GRIFFO: Opposed?

25 (No response.)

1 ACTING PRESIDENT GRIFFO: The
2 resolution is adopted.

3 Senator DeFrancisco.

4 SENATOR DeFRANCISCO: Senator
5 Little would like the resolution open for the
6 entire house. If you don't want to be on, please
7 notify the desk.

8 ACTING PRESIDENT GRIFFO: The
9 resolution is open for cosponsorship. Should you
10 choose not to be a cosponsor, please notify the
11 desk.

12 Senator DeFrancisco.

13 SENATOR DeFRANCISCO: Yes,
14 Mr. President, I'd appreciate it if you recognize
15 Senator Golden to introduce a very important
16 international individual. And I would appreciate
17 it if the house would please show their respect
18 during this introduction.

19 Thank you.

20 ACTING PRESIDENT GRIFFO: Senator
21 Golden, you're recognized.

22 SENATOR GOLDEN: Thank you,
23 Mr. President.

24 And thank you, Senator DeFrancisco.

25 We have today with us Ambassador

1 Zhang Qiyue, who has just taken over the position
2 recently.

3 She started her diplomatic career in
4 1982, and has held many distinguished titles:
5 Chinese Ambassador to Belgium and Indonesia,
6 Secretariat of United Nations Headquarters in
7 New York and Chinese Permanent Mission to the
8 United Nations. From 1998 to 2004, she was the
9 spokeswoman of the Chinese Foreign Ministry as
10 well as Deputy Director General of the
11 Information Department. And from 2012 to 2014,
12 she was Director General of the Department for
13 Diplomatic Missions Abroad.

14 Our relationship with China has
15 grown over the years. We've seen in education
16 how we've advanced in education in both of our
17 countries, and we've exchanged students and we've
18 seen technology and economic development grow,
19 not just tremendously between our two nations but
20 tremendously around the world, in the great
21 success and the great relationships that we share
22 with China.

23 And I thank you for being here,
24 Madam Ambassador, for taking the time out to
25 visit our chambers here and to be in the State

1 Capitol of the great State of New York.

2 It is our privilege, as we see the
3 Chinese-American community growing across the
4 country but specifically here in the City and
5 State of New York. Today we're almost up to a
6 million Asian-Americans living in the City of
7 New York out of 8.5 million people, of which the
8 majority of them are Chinese-Americans.

9 And we were capable of being able to
10 pass in the City Council, when I was there, an
11 Asian Lunar New Year bill, and one here in the
12 State Senate.

13 And working with Senator Squadron,
14 we're obviously trying to get an official holiday
15 for the City of New York. And hopefully the good
16 mayor of the City of New York will acknowledge
17 that and give us the bill that we will pass here
18 very, very shortly, giving it and making it an
19 official holiday for the residents of this great
20 state.

21 We thank you for your leadership.
22 We thank you for you visiting, again, our great
23 state house. Thank you, Godspeed, and welcome.
24 Enjoy.

25 Thank you very much.

1 ACTING PRESIDENT GRIFFO: Senator
2 Stavisky.

3 SENATOR STAVISKY: Thank you,
4 Mr. President.

5 Welcome, Ambassador Zhang. Da jia
6 hao. And Huan ying lai dao Albany, which means
7 welcome, in my New York accent, welcome to
8 Albany. And welcome back home as the Consul
9 General from the People's Republic of China.

10 I represent, as I've said many
11 times, approximately 200,000 Asian-Americans.
12 And while they are Americans, they retain their
13 roots. And I think that's important because all
14 immigrants retain their roots to the country
15 where they came from.

16 And I'm very proud to have the
17 ambassador here today. We met originally at a
18 newspaper in Manhattan when she first came to
19 New York, came back to New York in her capacity
20 as Consul General.

21 So again, we welcome you to Albany.
22 And we wish you continued success in representing
23 the interests not only of the People's Republic
24 of China, but also in the cooperation, both
25 economically and socially and culturally, with

1 the Asian-American community in the United States
2 and particularly in Queens.

3 So again, we thank you and we
4 welcome you.

5 ACTING PRESIDENT GRIFFO: Senator
6 Squadron.

7 SENATOR SQUADRON: Thank you,
8 Mr. President.

9 And I just want to also add my
10 greetings, my gratitude for joining us here and
11 for again highlighting the importance of the
12 relationship that we share and of the growing,
13 vibrant, and so critically important community in
14 my district and across New York City and all of
15 New York State.

16 And I want to thank Senator Golden
17 especially, along with Senator Stavisky, for the
18 work they've done to bring Asian Lunar New Year
19 to be a school holiday, which together we're
20 going to get done, and, as Senator Golden pointed
21 out, is just a sign of how, as we change and
22 evolve, hopefully our relationship can evolve
23 with it. And we look forward to celebrating with
24 you when that becomes reality very shortly.

25 Thank you, Mr. President.

1 ACTING PRESIDENT GRIFFO: Senator
2 Hamilton.

3 SENATOR HAMILTON: Thank you,
4 Chair.

5 I just want to say ni hao ma,
6 xie xie. Welcome to Albany.

7 I just want to say I have one of the
8 largest Asian populations in the State of
9 New York here in Sunset Park. And the Asian
10 community is the backbone, the catalyst for small
11 business owners. I see Louie Lee {ph} there
12 also, xie xie to you.

13 And I just want to say that I am
14 proud to represent the community in Sunset Park,
15 the Asian community, which is economically the
16 driving engine of small business owners in my
17 district.

18 I want to thank Senator Golden for
19 having the opportunity to bring Ms. Zhang here to
20 Albany. I admire you. You mentioned how you
21 were here some 20 years ago and you couldn't
22 speak English. Now you're here today, and you
23 speak it better than me. God bless you.

24 So I just want to say thank you for
25 your drive, your inner drive. I look forward to

1 working with you, Madam Consul General, and God
2 bless you.

3 Thank you very much.

4 ACTING PRESIDENT GRIFFO: We
5 welcome you, Madam Ambassador, as Consul General
6 of the People's Republic of China, here to the
7 United States and the State Capitol. Thank you
8 for being with us. We extend the courtesies of
9 the house to you.

10 (Applause.)

11 ACTING PRESIDENT GRIFFO: Senator
12 DeFrancisco.

13 SENATOR DeFRANCISCO: Please take
14 up Resolution 2116, by Senator Kennedy, and read
15 it in its entirety.

16 ACTING PRESIDENT GRIFFO: The
17 Secretary will read.

18 SENATOR DeFRANCISCO: Oh, no,
19 excuse me. Horrible mistake. Title only.

20 (Laughter.)

21 ACTING PRESIDENT GRIFFO: The
22 Secretary will read the title only.

23 THE SECRETARY: Legislative
24 Resolution Number 2116, by Senator Kennedy,
25 commemorating the 40th consecutive Juneteenth

1 Festival Parade upon the occasion of the
2 Juneteenth 40th Anniversary Gala on May 15, 2015.

3 ACTING PRESIDENT GRIFFO: Again,
4 I'm going to ask for some order in the house,
5 please.

6 I know members are trying to meet
7 the ambassador, but Senator Kennedy has the
8 floor.

9 SENATOR KENNEDY: Thank you,
10 Mr. President.

11 I rise today to acknowledge an
12 important event in my district, the Juneteenth
13 40th Anniversary Gala this Friday, May 15th, and
14 to recognize those who have been committed to
15 carrying on a celebrated tradition, the
16 Juneteenth Festival of Buffalo for 40 years.

17 It's a tradition I've been honored
18 to participate in for several years. Started in
19 1976 by the Juneteenth Festival of Buffalo, Inc.,
20 then known as B.U.I.L.D., the festival was
21 created to celebrate a culturally relevant
22 alternative to the country's bicentennial
23 celebration as well as celebrate the ending of
24 the Civil War and the freedom for all slaves in
25 the United States.

1 For 40 years the members of this
2 nonprofit organization staffed entirely by
3 volunteers have made extraordinary contributions
4 to our community. Committed to promoting the
5 history of African-American heritage through
6 educational and cultural activities, the
7 Juneteenth Festival of Buffalo, Inc., organizes
8 one of the largest annual parades in the City of
9 Buffalo Brook and by far one of my favorites to
10 march in.

11 After having outgrown the original
12 location on Jefferson Avenue, the parade now
13 marches down Genesee Street to an audience of
14 thousands. It gets bigger and bigger every
15 single year. The parade culminates in Martin
16 Luther King, Jr., Park, where hundreds of vendors
17 gather to sell ethnic foods and wares, live music
18 is played, and families spanning generations come
19 together to take part in the entertainment.

20 The members and volunteers of this
21 wonderful organization should be commended for
22 their hard work and tremendous dedication to our
23 community in hosting this event that's gaining
24 greater and greater magnitude every single year.

25 I'm honored to have the opportunity

1 to recognize and thank the Juneteenth Festival of
2 Buffalo organizers and congratulate them on the
3 occasion of their 40th Anniversary Gala.

4 Thank you, Mr. President. I vote
5 aye.

6 ACTING PRESIDENT GRIFFO: The
7 question is on the resolution. All in favor
8 signify by saying aye.

9 (Response of "Aye.")

10 ACTING PRESIDENT GRIFFO: Opposed?

11 (No response.)

12 ACTING PRESIDENT GRIFFO: The
13 resolution is adopted.

14 Senator DeFrancisco.

15 SENATOR DeFRANCISCO: Would you
16 please take up Resolution 2058, from Senator
17 Squadron, and again read the title only, please.

18 ACTING PRESIDENT GRIFFO: The
19 Secretary will read.

20 THE SECRETARY: Legislative
21 Resolution Number 2058, by Senator Squadron,
22 commemorating the 150th Anniversary of the
23 New York City Fire Department.

24 ACTING PRESIDENT GRIFFO: Senator
25 Squadron.

1 SENATOR SQUADRON: Thank you,
2 Mr. President.

3 I rise to commemorate the 150th
4 anniversary of the New York Fire Department, the
5 FDNY, to honor their service in the past, and to
6 thank them for all they have done, continue to
7 do, and will continue to do hopefully for many,
8 many years to come.

9 Look, we all know that fire
10 departments across this state, across this nation
11 are on call so that we can rest easy knowing that
12 we will be protected when and if an emergency
13 strikes. And that's exactly what FDNY has
14 represented, as New York's bravest, since 1865.
15 By the way, the FDNY created by state act, and a
16 good reminder to us here in this house at the
17 good work we can do and the long impact that our
18 work can have.

19 There were two different fire
20 departments that were merged in 1898 under the
21 Greater City of New York. As we know, on many of
22 the most important days in our state's history
23 the Fire Department has served with valor, honor
24 and extraordinary bravery.

25 March 25, 1911, the historic

1 Triangle Shirtwaist Factory fire killed
2 146 people, mostly young female immigrant
3 workers. Laws were enacted for worker
4 protection, for job safety. And the Fire
5 Department, which had had to respond to that
6 horrific tragedy, established its first
7 Fire College to train new firefighters later that
8 year.

9 In my district not so long ago, on
10 September 11, 2001, 343 members of the New York
11 Fire Department lost their lives while
12 courageously taking part in rescue operations in
13 Lower Manhattan. Seventy-five firehouses lost at
14 least one member that day; 121 engine companies
15 were deployed, 62 ladder companies, 27 fire
16 officers. There was a total recall of off-duty
17 firefighters.

18 And each of us who has firehouses in
19 our district knows well the names, the
20 sacrifices, the heroism often from folks who were
21 off-duty, that was displayed on that day, and the
22 unspeakable loss that the Fire Department
23 experienced.

24 Of course it has come back and
25 continued to protect us and serve us in the years

1 since. But it's never a job that's safe, it's
2 always a job that is about being there when we
3 most need it.

4 Just out of my district recently
5 there were building explosions in the
6 East Village that many people heard about,
7 completely destroying more than one building in
8 the East Village. Engine 33 and Ladder 9, based
9 out of my district, were there.

10 This winter, along the East River
11 waterfront, there was a display that no one would
12 hope for on one of the coldest days of the year
13 in the fire at the city storage facility. Flames
14 in the air, the water of the fire boats
15 collecting in icicles, a multiple-alarm fire that
16 took hours upon hours to get under control.

17 Last year Lieutenant Gordon Ambelas
18 of Ladder 119 of Williamsburg, in my district,
19 passed away during a rescue at 75 Wilson Street.

20 The work that the Fire Department
21 does every day, the willingness of the
22 firefighters and the fire officers to go into
23 work, knowing that when they are called, while
24 everyone else is running out, as the cliché has
25 it, they will be running in, is no cliché in

1 their lives. It is what they and their families
2 deal with every single day for 150 years.

3 Of course there's also some good
4 news around the New York Fire Department. They
5 recently named their first female and openly LGBT
6 chaplain, Pastor Ann Kansfield from Greenpoint
7 Church, in the neighborhood I represent in
8 North Brooklyn.

9 And for those of you with children
10 or a little child still inside, you may have just
11 a couple of weeks ago gone to the Open House Day
12 at the firehouses across the city. I went with
13 my children; my two sons are 4 years old and a
14 year and a half. And I have to tell you, the
15 people serving in Engine 202 and Ladder 101, the
16 Red Hook Raiders, were so extraordinarily kind
17 and enthusiastic to my young children. It is a
18 day they still talk about. We have pictures and
19 memories that we're going to treasure forever.

20 And you know, the funniest thing
21 about that is that was an open house for the
22 firehouses across the city in honor of their
23 150th anniversary. But as I've talked about it
24 since, I've heard story upon story of days when
25 people just decided to knock on their local

1 firehouse door, and whoever was on duty there,
2 preparing for an unspeakable job if the alarm
3 might ring, would open the door and welcome in
4 young families, welcome in neighbors and
5 community members, because that is the culture of
6 the FDNY.

7 They are community leaders. They
8 have a kindness, they have a bravery, they have
9 an understanding of their role in terms of
10 keeping the community safe both when emergencies
11 strike and when they don't. And for that we say
12 thank you. Our gratitude is unending. A hundred
13 and fifty years of a department that has more
14 than 10,000 uniformed firefighters, more than
15 3600 EMTs and paramedics -- the scale is
16 extraordinary. And we say thank you for
17 150 years of service.

18 Thank you, Mr. President.

19 ACTING PRESIDENT GRIFFO: Senator
20 Golden.

21 SENATOR GOLDEN: Thank you,
22 Mr. President.

23 I rise, I think this is a great
24 tribute to New York City and to our fire
25 departments for the great work that they've done

1 across the city and the state. But I want to
2 thank Senator Squadron for putting this
3 proclamation forward.

4 And I'll tell you, it's important
5 for a lot of reasons. Our firemen not only are
6 out there on a regular basis fighting not just
7 fires, gas explosions, and responding to those
8 that are injured, whether it be a heart attack or
9 falling down a flight of stairs, and they're
10 there to save lives on a regular basis.

11 And it's unfortunate how many we
12 lost, and we just mentioned it the other day when
13 I was talking about West Point Day and we talked
14 about the Siller Race and Fireman Siller that ran
15 through the tunnel and how the West Pointers, 120
16 of them, would run through that tunnel in memory
17 of Fire Officer Siller.

18 It is a shame how many people we
19 lost, 343 people just in the Fire Department that
20 day alone. We're still trying to get, and
21 hopefully it will get passed this year, is a 9/11
22 survivor plate for those parents and husbands and
23 wives that lost loved ones at 9/11.

24 And the other sad bill that we're
25 trying to get out and should have been passed and

1 has not yet been passed, and hopefully will be
2 shortly, is a disability bill for our police and
3 for our fire.

4 But today, if a fireman is to get
5 hurt here in the City of New York, he or she will
6 get \$27 a day -- \$27 a day to pay for their rent
7 or mortgage, to put their children through
8 school, to just live a daily life, of \$27 a day.
9 It's -- I don't know what to say. It's not only
10 un-American, it's just plain wrong.

11 And hopefully our conference here,
12 this Senate body here will correct that and the
13 Assembly will correct it, and that we will see a
14 bill that will give our firemen the disability
15 that they deserve, especially when it comes to
16 serving this great city and going into these
17 fires and having black lung and getting cancer
18 and dying in numbers that we haven't seen. We've
19 seen the numbers killed at 9/11; we haven't
20 counted the numbers that have died from the
21 cancers since 9/11.

22 So this bill I think is a great
23 tribute to all of our firemen for the 150 years
24 of service to our great city. But it's also a
25 bill to remind us of the work we have yet to do

1 to make sure that we keep our firemen protected
2 as they move forward, and their families, and
3 that we never forget the hard work that they do
4 each and every day.

5 So I thank you, Mr. President. I
6 thank Senator Squadron for putting this
7 resolution forward, and I thank my colleagues.
8 And hopefully we'll see those bills that I
9 discussed on the floor shortly so that we can
10 vote on them.

11 Thank you.

12 ACTING PRESIDENT GRIFFO: The
13 question is on the resolution. All in favor
14 signify by saying aye.

15 (Response of "Aye.")

16 ACTING PRESIDENT GRIFFO: Opposed?

17 (No response.)

18 ACTING PRESIDENT GRIFFO: The
19 resolution is adopted.

20 Senator DeFrancisco.

21 SENATOR DeFRANCISCO: I believe the
22 sponsor would like to open that up for the entire
23 house.

24 And those who do not want to
25 cosponsor, please notify the desk.

1 ACTING PRESIDENT GRIFFO: The
2 resolution is open for cosponsorship. Should you
3 choose not to be a cosponsor, notify the desk.

4 SENATOR DeFRANCISCO: If we could
5 now go to Resolution 2081, by Senator Sanders.
6 And read the title only, please, and then
7 recognize Senator Sanders.

8 ACTING PRESIDENT GRIFFO: The
9 Secretary will read.

10 THE SECRETARY: Legislative
11 Resolution Number 2081, by Senator Sanders,
12 memorializing Governor Andrew M. Cuomo to
13 proclaim May 15-21, 2015, as Hip-Hop Against
14 Gun & Gang Violence Week in the State of
15 New York.

16 ACTING PRESIDENT GRIFFO: Senator
17 Sanders.

18 SENATOR SANDERS: Thank you,
19 Mr. President.

20 From north to south, east to west,
21 America seems to be troubled by a lot of
22 violence, and much of it is gang-related. There
23 have been many calls for people to find out where
24 this is coming from, what is happening. Some
25 people have even gone a step further and said

1 that the lyrics of hip-hop may be contributing to
2 this problem. Many voices have been raised
3 saying that the hip-hop community has an
4 obligation to do something being it.

5 Well, I'm happy to say that part of
6 the hip-hop community is stepping forward, that
7 they have taken a position against guns and gang
8 violence and violence, period. And they have
9 taken up a Hip-Hop Against Gun & Gang Violence
10 Week, a week where they focus on alternative ways
11 of dealing with problems, where they focus on the
12 community that really feels highly about the
13 music of hip-hop.

14 And I think that it is something
15 that we should applaud at the state level. I
16 think that it is something that has been
17 applauded in days gone by, and that we need to
18 find a way to encourage them. Anyone who wants
19 to tackle this scourge on America of violence, we
20 need to aid in it.

21 So I'm very happy to put forward
22 this resolution. I'm very happy that everyone
23 else has joined in where we encourage the hip-hop
24 community to take their responsibility, with
25 everyone else, against violence and gang

1 activity.

2 So I thank you for that, and I thank
3 everyone who will join in. And of course I want
4 it open to everyone.

5 Thank you very much, Mr. President.

6 ACTING PRESIDENT GRIFFO: The
7 question is on the resolution. All in favor
8 signify by saying aye.

9 (Response of "Aye.")

10 ACTING PRESIDENT GRIFFO: Opposed?

11 (No response.)

12 ACTING PRESIDENT GRIFFO: The
13 resolution is adopted.

14 The resolution is open for
15 cosponsorship. Should you choose not to be a
16 cosponsor, please notify the desk.

17 Senator DeFrancisco.

18 SENATOR DeFRANCISCO: There is a
19 report of the Judiciary Committee at the desk.
20 Would you please read the report and call on
21 Senator Bonacic.

22 ACTING PRESIDENT GRIFFO: The
23 Secretary will read.

24 THE SECRETARY: Senator Bonacic,
25 from the Committee on Judiciary, reports the

1 following nomination:

2 Brandon R. Sall, of Purchase, as a
3 judge of the Westchester County Surrogate Court.

4 ACTING PRESIDENT GRIFFO: Senator
5 Bonacic.

6 SENATOR BONACIC: Thank you,
7 Mr. President.

8 The Senate Judiciary Committee met
9 this morning to consider Governor Cuomo's
10 appointment of Brandon Sall as judge of the
11 Westchester County Surrogate Court.

12 This appointment was made to fill a
13 vacancy that was made at the end of last year due
14 to retirement.

15 Pursuant to the provisions of
16 Section 21 of Article VI of the Constitution, the
17 Judiciary Committee has reported the nominee to
18 the floor.

19 And I ask that you recognize Senator
20 Latimer to speak on this nominee.

21 ACTING PRESIDENT GRIFFO: Senator
22 Latimer.

23 SENATOR LATIMER: Thank you,
24 Mr. President.

25 I'm very honored to stand to speak

1 on behalf of Brandon Sall, who is a Westchester
2 County resident, a resident of my Senate
3 district, and who's been nominated by Governor
4 Cuomo.

5 Mr. Sall has served this state
6 already, very honorably, as a member of the
7 New York State Thruway Authority Board of
8 Directors. Prior to my tenure here in the
9 Senate, he has been approved by this Senate
10 previously for that assignment and another one.
11 And he comes before us with a background in law
12 that will serve him well in the Surrogate's
13 Court.

14 In Westchester County, as in other
15 communities, we have one surrogate judge and we
16 want, obviously, to have a person to fill that
17 seat rather than have the seat lay vacant, as it
18 has since the departure of Judge Anthony
19 Scarpino.

20 So it is with great pride that I
21 appreciate the Governor's endorsement and look
22 forward to supporting him in the vote to come.

23 And thank you for the privilege of
24 the house to share those thoughts.

25 ACTING PRESIDENT GRIFFO: Senator

1 Klein.

2 SENATOR KLEIN: Thank you,
3 Mr. President.

4 It's my honor to second the
5 nomination of Brandon Sall as surrogate judge in
6 Westchester County.

7 You know, one of the things that I
8 always hope for, especially when someone goes on
9 the bench, is it's really for public service.

10 Brandon over the years has had many,
11 many jobs, always doing very, very well as far as
12 trusts and estates. He's an expert in this
13 matter. And he's had a very successful practice
14 over the years, but also found the time to
15 dedicate his life to public service. He's a
16 board member of the New York State Thruway
17 Authority, chair of the blue-ribbon selection
18 committee for the new Tappan Zee Bridge, and he
19 understands, I think, a very simple truth, that
20 you always have to give back.

21 So at this time in his career,
22 bringing all of his expertise in the private
23 sector, in the private practice of law, to be the
24 surrogate of Westchester County I think is the
25 best we can say about public service.

1 So I know when Brandon Sall becomes
2 Judge Brandon Sall, the surrogate in
3 Westchester County, certainly justice will be
4 done. It's my pleasure to honor and to second
5 the nomination.

6 ACTING PRESIDENT GRIFFO: Senator
7 Bonacic.

8 SENATOR BONACIC: Yes, I want to
9 thank Senator Latimer and Senator Klein for those
10 remarks.

11 And now I move the nominee to the
12 floor for confirmation.

13 ACTING PRESIDENT GRIFFO: The
14 question is on the nomination of Brandon Sall as
15 judge of the Westchester County Surrogate Court.
16 All in favor signify by saying aye.

17 (Response of "Aye.")

18 ACTING PRESIDENT GRIFFO: Opposed?

19 (No response.)

20 ACTING PRESIDENT GRIFFO: Brandon
21 R. Sall is hereby confirmed as a judge of the
22 Westchester County Surrogate Court.

23 Congratulations, Judge, and good
24 luck.

25 (Appause.)

1 ACTING PRESIDENT GRIFFO: Senator
2 DeFrancisco.

3 SENATOR DeFRANCISCO: Mr.
4 President, could you now turn to the
5 noncontroversial reading of the calendar.

6 ACTING PRESIDENT GRIFFO: The
7 Secretary will begin to read the noncontroversial
8 reading.

9 THE SECRETARY: Calendar Number 96,
10 by Senator Robach, Senate Print 2682, an act to
11 amend the Highway Law.

12 ACTING PRESIDENT GRIFFO: Read the
13 last section.

14 THE SECRETARY: Section 3. This
15 act shall take effect immediately.

16 ACTING PRESIDENT GRIFFO: Call the
17 roll.

18 (The Secretary called the roll.)

19 THE SECRETARY: Ayes, 60.

20 ACTING PRESIDENT GRIFFO: The bill
21 is passed.

22 THE SECRETARY: Calendar Number
23 127, by Senator Golden, Senate Print 692, an act
24 to amend the Public Authorities Law.

25 ACTING PRESIDENT GRIFFO: Read the

1 last section.

2 THE SECRETARY: Section 2. This
3 act shall take effect immediately.

4 ACTING PRESIDENT GRIFFO: Call the
5 roll.

6 (The Secretary called the roll.)

7 ACTING PRESIDENT GRIFFO: Announce
8 the results.

9 THE SECRETARY: In relation to
10 Calendar Number 127, those recorded in the
11 negative are Senators Comrie, DeFrancisco,
12 Hassell-Thompson, Hoylman, Krueger, Montgomery,
13 Parker, Rivera, Sanders, Serrano and Squadron.

14 Ayes, 49. Nays, 11.

15 ACTING PRESIDENT GRIFFO: The bill
16 is passed.

17 THE SECRETARY: Calendar Number
18 134, by Senator Gallivan, Senate Print 1700A, an
19 act in relation.

20 SENATOR GIANARIS: Lay it aside.

21 ACTING PRESIDENT GRIFFO: Lay the
22 bill aside.

23 Again, can I have some order in the
24 chamber, please.

25 The Secretary will continue.

1 THE SECRETARY: Calendar Number
2 167, by Senator Lanza, Senate Print 2821, an act
3 to amend the General Business Law.

4 ACTING PRESIDENT GRIFFO: Read the
5 last section.

6 THE SECRETARY: Section 3. This
7 act shall take effect immediately.

8 ACTING PRESIDENT GRIFFO: Call the
9 roll.

10 (The Secretary called the roll.)

11 THE SECRETARY: In relation to
12 Calendar Number 167, those recorded in the
13 negative are Senators Hassell-Thompson, Krueger
14 and Montgomery.

15 Ayes, 57. Nays, 3.

16 ACTING PRESIDENT GRIFFO: The bill
17 is passed.

18 THE SECRETARY: Calendar Number
19 219, by Senator Ortt, Senate Print 2976, an act
20 to amend the Vehicle and Traffic Law.

21 ACTING PRESIDENT GRIFFO: Read the
22 last section.

23 THE SECRETARY: Section 3. This
24 act shall take effect on the 90th day.

25 ACTING PRESIDENT GRIFFO: Call the

1 roll.

2 (The Secretary called the roll.)

3 THE SECRETARY: Ayes, 58. Nays, 2.
4 Senators Montgomery and Rivera recorded in the
5 negative.

6 ACTING PRESIDENT GRIFFO: The bill
7 is passed.

8 THE SECRETARY: Calendar Number
9 220, by Senator Lanza, Senate Print 3732, an act
10 to enact.

11 ACTING PRESIDENT GRIFFO: Read the
12 last section.

13 THE SECRETARY: Section 3. This
14 act shall take effect on the 180th day.

15 ACTING PRESIDENT GRIFFO: Call the
16 roll.

17 (The Secretary called the roll.)

18 THE SECRETARY: Ayes, 60.

19 ACTING PRESIDENT GRIFFO: The bill
20 is passed.

21 THE SECRETARY: Calendar Number
22 227, by Senator Hannon, Senate Print 3402, an act
23 to amend the Penal Law.

24 ACTING PRESIDENT GRIFFO: Read the
25 last section.

1 THE SECRETARY: Section 4. This
2 act shall take effect on the first of November.

3 ACTING PRESIDENT GRIFFO: Call the
4 roll.

5 (The Secretary called the roll.)

6 ACTING PRESIDENT GRIFFO: Senator
7 Squadron to explain his vote.

8 SENATOR SQUADRON: Thank you,
9 Mr. President.

10 This is a bill that went through the
11 Codes Committee, where I'm the ranker. And I
12 think the information provided was a little bit
13 different than my understanding of it now. And
14 so I just want to say that there's some important
15 goals to this bill.

16 One thing that this bill does,
17 though, is it creates a Class A misdemeanor, a
18 permanent criminal record, a Class A misdemeanor,
19 that's jail time as well. One year in jail,
20 three years' probation, a fine of up to \$1,000.

21 If you had a blank prescription form
22 and it's not authorized, that means that if
23 you're driving somebody else's car and it's in
24 the car and you knew it was there, Class A
25 misdemeanor. It means that if you take one of

1 these things because you're delivering it to your
2 parent or someone else who needs it from you and
3 you can't prove it, potentially you get a Class A
4 misdemeanor.

5 That doesn't make sense. That
6 portion of this goes too far. And so I'm going
7 to have to vote no now that I've had that
8 clarification.

9 Thank you, Mr. President.

10 ACTING PRESIDENT GRIFFO: Senator
11 Squadron to be recorded in the negative.

12 Announce the results.

13 THE SECRETARY: Ayes, 58. Nays, 2.
14 Senators Montgomery and Squadron recorded in the
15 negative.

16 ACTING PRESIDENT GRIFFO: The bill
17 is passed.

18 THE SECRETARY: Calendar Number
19 237, by Senator Larkin, Senate Print 2254, an act
20 to amend the Education Law.

21 ACTING PRESIDENT GRIFFO: Read the
22 last section.

23 THE SECRETARY: Section 2. This
24 act shall take effect immediately.

25 ACTING PRESIDENT GRIFFO: Call the

1 roll.

2 (The Secretary called the roll.)

3 THE SECRETARY: Ayes, 60.

4 ACTING PRESIDENT GRIFFO: The bill
5 is passed.

6 THE SECRETARY: Calendar Number
7 261, by Senator Hannon, Senate Print 3368A, an
8 act to authorize.

9 ACTING PRESIDENT GRIFFO: Read the
10 last section.

11 THE SECRETARY: Section 2. This
12 act shall take effect immediately.

13 ACTING PRESIDENT GRIFFO: Call the
14 roll.

15 (The Secretary called the roll.)

16 THE SECRETARY: Ayes, 58. Nays, 2.
17 Senators Bonacic and Hamilton recorded in the
18 negative.

19 ACTING PRESIDENT GRIFFO: The bill
20 is passed.

21 THE SECRETARY: Calendar Number
22 293, by Senator Little, Senate Print 1216, an act
23 to amend the Vehicle and Traffic Law.

24 ACTING PRESIDENT GRIFFO: Read the
25 last section.

1 THE SECRETARY: Section 2. This
2 act shall take effect on the 180th day.

3 ACTING PRESIDENT GRIFFO: Call the
4 roll.

5 (The Secretary called the roll.)

6 THE SECRETARY: Ayes, 60.

7 ACTING PRESIDENT GRIFFO: The bill
8 is passed.

9 THE SECRETARY: Calendar Number
10 294, by Senator Bonacic, Senate Print 1600, an
11 act to amend the Vehicle and Traffic Law.

12 ACTING PRESIDENT GRIFFO: Read the
13 last section.

14 THE SECRETARY: Section 3. This
15 act shall take effect immediately.

16 ACTING PRESIDENT GRIFFO: Call the
17 roll.

18 (The Secretary called the roll.)

19 THE SECRETARY: Ayes, 60.

20 ACTING PRESIDENT GRIFFO: The bill
21 is passed.

22 THE SECRETARY: Calendar Number
23 298, by Senator Murphy, Senate Print 3820, an act
24 to amend the Highway Law.

25 ACTING PRESIDENT GRIFFO: Read the

1 last section.

2 THE SECRETARY: Section 3. This
3 act shall take effect immediately.

4 ACTING PRESIDENT GRIFFO: Call the
5 roll.

6 (The Secretary called the roll.)

7 THE SECRETARY: Ayes, 60.

8 ACTING PRESIDENT GRIFFO: The bill
9 is passed.

10 THE SECRETARY: Calendar Number
11 321, by Senator Klein, Senate Print 853, an act
12 to amend the Insurance Law.

13 ACTING PRESIDENT GRIFFO: Read the
14 last section.

15 THE SECRETARY: Section 7. This
16 act shall take effect on the 180th day.

17 ACTING PRESIDENT GRIFFO: Call the
18 roll.

19 (The Secretary called the roll.)

20 THE SECRETARY: Ayes, 60.

21 ACTING PRESIDENT GRIFFO: The bill
22 is passed.

23 THE SECRETARY: Calendar Number
24 326, by Senator Lanza, Senate Print 4128, an act
25 to amend Chapter 759 of the Laws of 1973.

1 ACTING PRESIDENT GRIFFO: Read the
2 last section.

3 THE SECRETARY: Section 2. This
4 act shall take effect immediately.

5 ACTING PRESIDENT GRIFFO: Call the
6 roll.

7 (The Secretary called the roll.)

8 THE SECRETARY: Ayes, 60.

9 ACTING PRESIDENT GRIFFO: The bill
10 is passed.

11 THE SECRETARY: Calendar Number
12 332, by Senator Golden, Senate Print 1472A, an
13 act to amend the Social Services Law.

14 ACTING PRESIDENT GRIFFO: Read the
15 last section.

16 THE SECRETARY: Section 2. This
17 act shall take effect immediately.

18 ACTING PRESIDENT GRIFFO: Call the
19 roll.

20 (The Secretary called the roll.)

21 THE SECRETARY: Ayes, 59. Nays, 1.
22 Senator Montgomery recorded in the negative.

23 ACTING PRESIDENT GRIFFO: The bill
24 is passed.

25 THE SECRETARY: Calendar Number

1 333, by Senator Ranzenhofer, Senate Print 3297,
2 an act to amend the Domestic Relations Law.

3 ACTING PRESIDENT GRIFFO: Read the
4 last section.

5 THE SECRETARY: Section 3. This
6 act shall take effect immediately.

7 ACTING PRESIDENT GRIFFO: Call the
8 roll.

9 (The Secretary called the roll.)

10 THE SECRETARY: Ayes, 60.

11 ACTING PRESIDENT GRIFFO: The bill
12 is passed.

13 THE SECRETARY: Calendar Number
14 357, by Senator Avella, Senate Print 3945A, an
15 act to amend the Tax Law.

16 ACTING PRESIDENT GRIFFO: Read the
17 last section.

18 THE SECRETARY: Section 2. This
19 act shall take effect immediately.

20 ACTING PRESIDENT GRIFFO: Call the
21 roll.

22 (The Secretary called the roll.)

23 THE SECRETARY: Ayes, 60.

24 ACTING PRESIDENT GRIFFO: The bill
25 is passed.

1 THE SECRETARY: Calendar Number,
2 367, by Senator Boyle, Senate Print 2936, an act
3 to amend the Agriculture and Markets Law.

4 ACTING PRESIDENT GRIFFO: Read the
5 last section.

6 THE SECRETARY: Section 2. This
7 act shall take effect immediately.

8 ACTING PRESIDENT GRIFFO: Call the
9 roll.

10 (The Secretary called the roll.)

11 THE SECRETARY: Ayes, 59. Nays, 1.
12 Senator Montgomery recorded in the negative.

13 ACTING PRESIDENT GRIFFO: The bill
14 is passed.

15 THE SECRETARY: Calendar Number
16 378, by Senator Venditto, Senate Print 3840, an
17 act to amend the General Business Law.

18 ACTING PRESIDENT GRIFFO: Read the
19 last section.

20 THE SECRETARY: Section 2. This
21 act shall take effect immediately.

22 ACTING PRESIDENT GRIFFO: Call the
23 roll.

24 (The Secretary called the roll.)

25 THE SECRETARY: Ayes, 60.

1 ACTING PRESIDENT GRIFFO: The bill
2 is passed.

3 THE SECRETARY: Calendar Number
4 381, by Senator Flanagan, Senate Print 2134, an
5 act to amend the Highway Law.

6 ACTING PRESIDENT GRIFFO: There is
7 a home-rule message at the desk.

8 Read the last section.

9 THE SECRETARY: Section 2. This
10 act shall take effect immediately.

11 ACTING PRESIDENT GRIFFO: Call the
12 roll.

13 (The Secretary called the roll.)

14 THE SECRETARY: Ayes, 60.

15 ACTING PRESIDENT GRIFFO: The bill
16 is passed.

17 THE SECRETARY: Calendar Number
18 388, by Senator Flanagan, Senate Print 4220, an
19 act to amend the Vehicle and Traffic Law.

20 ACTING PRESIDENT GRIFFO: Read the
21 last section.

22 THE SECRETARY: Section 4. This
23 act shall take effect on the first of November.

24 ACTING PRESIDENT GRIFFO: Call the
25 roll.

1 (The Secretary called the roll.)

2 THE SECRETARY: Ayes, 59. Nays, 1.

3 Senator Montgomery recorded in the negative.

4 ACTING PRESIDENT GRIFFO: The bill
5 is passed.

6 THE SECRETARY: Calendar Number
7 399, by Senator Golden, Senate Print 785, an act
8 to amend the Executive Law.

9 ACTING PRESIDENT GRIFFO: Read the
10 last section.

11 THE SECRETARY: Section 2. This
12 act shall take effect on the first of January.

13 ACTING PRESIDENT GRIFFO: Call the
14 roll.

15 (The Secretary called the roll.)

16 THE SECRETARY: Ayes, 60.

17 ACTING PRESIDENT GRIFFO: The bill
18 is passed.

19 THE SECRETARY: Calendar Number
20 442, by Senator Valesky, Senate Print 642, an act
21 to amend the State Administrative Procedure Act.

22 ACTING PRESIDENT GRIFFO: Read the
23 last section.

24 THE SECRETARY: Section 11. This
25 act shall take effect on 120th day.

1 ACTING PRESIDENT GRIFFO: Call the
2 roll.

3 (The Secretary called the roll.)

4 THE SECRETARY: Ayes, 60.

5 ACTING PRESIDENT GRIFFO: The bill
6 is passed.

7 THE SECRETARY: Calendar Number
8 452, by Senator Young, Senate Print 3422, an act
9 to amend the Real Property Law.

10 ACTING PRESIDENT GRIFFO: There is
11 a home-rule message at the desk.

12 Read the last section.

13 THE SECRETARY: Section 2. This
14 act shall take effect immediately.

15 ACTING PRESIDENT GRIFFO: Call the
16 roll.

17 (The Secretary called the roll.)

18 THE SECRETARY: Ayes, 60.

19 ACTING PRESIDENT GRIFFO: The bill
20 is passed.

21 THE SECRETARY: Calendar Number
22 463, by Senator Golden, Senate Print 1467, an act
23 to amend the Civil Rights Law.

24 ACTING PRESIDENT GRIFFO: Read the
25 last section.

1 THE SECRETARY: Section 6. This
2 act shall take effect on the 30th day.

3 ACTING PRESIDENT GRIFFO: Call the
4 roll.

5 (The Secretary called the roll.)

6 THE SECRETARY: Ayes, 60.

7 ACTING PRESIDENT GRIFFO: The bill
8 is passed.

9 THE SECRETARY: Calendar Number
10 471, by Senator Lanza, Senate Print 3362, an act
11 to amend the Penal Law.

12 ACTING PRESIDENT GRIFFO: Read the
13 last section.

14 THE SECRETARY: Section 7. This
15 act shall take effect on the first of November.

16 ACTING PRESIDENT GRIFFO: Call the
17 roll.

18 (The Secretary called the roll.)

19 THE SECRETARY: Ayes, 60.

20 ACTING PRESIDENT GRIFFO: The bill
21 is passed.

22 THE SECRETARY: Calendar Number
23 472, by Senator Savino, Senate Print 3666, an act
24 to amend the Penal Law.

25 ACTING PRESIDENT GRIFFO: Read the

1 last section.

2 THE SECRETARY: Section 4. This
3 act shall take effect immediately.

4 ACTING PRESIDENT GRIFFO: Call the
5 roll.

6 (The Secretary called the roll.)

7 THE SECRETARY: Ayes, 60.

8 ACTING PRESIDENT GRIFFO: The bill
9 is passed.

10 THE SECRETARY: Calendar Number
11 473, by Senator Nozzolio, Senate Print 4382, an
12 act to amend the Penal Law.

13 ACTING PRESIDENT GRIFFO: Read the
14 last section.

15 THE SECRETARY: Section 2. This
16 act shall take effect immediately.

17 ACTING PRESIDENT GRIFFO: Call the
18 roll.

19 (The Secretary called the roll.)

20 ACTING PRESIDENT GRIFFO: Announce
21 the results.

22 THE SECRETARY: In relation to
23 Calendar Number 473, those recorded in the
24 negative are Senators Comrie, Hassell-Thompson,
25 Hoylman, Krueger, Montgomery, Parker, Rivera,

1 Sanders, Serrano, and Squadron.

2 Ayes, 50. Nays, 10.

3 ACTING PRESIDENT GRIFFO: The bill
4 is passed.

5 THE SECRETARY: Calendar Number
6 480, by Senator DeFrancisco, Senate Print 2917,
7 an act to amend the Real Property Tax Law.

8 ACTING PRESIDENT GRIFFO: Read the
9 last section.

10 THE SECRETARY: Section 2. This
11 act shall take effect immediately.

12 ACTING PRESIDENT GRIFFO: Call the
13 roll.

14 (The Secretary called the roll.)

15 THE SECRETARY: Ayes, 60.

16 ACTING PRESIDENT GRIFFO: The bill
17 is passed.

18 Senator DeFrancisco, that completes
19 the noncontroversial reading of today's
20 active-list calendar.

21 SENATOR DeFRANCISCO: Could you now
22 go to the Supplemental Active List Number 1,
23 please.

24 ACTING PRESIDENT GRIFFO: We will
25 now go to the supplemental active list.

1 The Secretary will read.

2 THE SECRETARY: Calendar Number
3 459, substituted previously by Member of the
4 Assembly Buchwald, Assembly Print 222, an act to
5 amend the Tax Law.

6 ACTING PRESIDENT GRIFFO: Read the
7 last section.

8 THE SECRETARY: Section 2. This
9 act shall take effect immediately.

10 ACTING PRESIDENT GRIFFO: Call the
11 roll.

12 (The Secretary called the roll.)

13 THE SECRETARY: Ayes, 60.

14 ACTING PRESIDENT GRIFFO: The bill
15 is passed.

16 THE SECRETARY: Calendar Number
17 460, substituted previously by Member of the
18 Assembly Paulin, Assembly Print 5138, an act to
19 amend the Tax Law.

20 ACTING PRESIDENT GRIFFO: Read the
21 last section.

22 THE SECRETARY: Section 2. This
23 act shall take effect immediately.

24 ACTING PRESIDENT GRIFFO: Call the
25 roll.

1 (The Secretary called the roll.)

2 THE SECRETARY: In relation to
3 Calendar Number 460, those recorded in the
4 negative are Senators Bonacic, Murphy and Ortt.

5 Ayes, 57. Nays, 3.

6 ACTING PRESIDENT GRIFFO: The bill
7 is passed.

8 Senator DeFrancisco, that completes
9 the reading of the noncontroversial supplemental
10 active list.

11 SENATOR DeFRANCISCO: Mr.
12 President, can you lay the bill aside for the
13 day, Calendar Number 134, that was on the active
14 list.

15 ACTING PRESIDENT GRIFFO: Calendar
16 Number 134, Senate Bill 1700A, will be laid aside
17 for the day.

18 Senator DeFrancisco.

19 SENATOR DeFRANCISCO: Could you
20 call on Senator Gianaris. He has a motion.

21 ACTING PRESIDENT GRIFFO: We will
22 return to motions and resolutions.

23 Senator Gianaris.

24 SENATOR GIANARIS: Are you sure,
25 Mr. President?

1 (Laughter.)

2 SENATOR GIANARIS: Mr. President,
3 on behalf of Senator Panepinto, I move that the
4 following bill be discharged from its respective
5 committee and be recommitted with instructions to
6 strike the enacting clause: Senate Bill 4295.

7 ACTING PRESIDENT GRIFFO: It is so
8 ordered.

9 Senator DeFrancisco.

10 SENATOR DeFRANCISCO: Is there any
11 further business at the desk?

12 ACTING PRESIDENT GRIFFO: There is
13 no further business before the desk.

14 SENATOR DeFRANCISCO: Just an
15 announcement. There's a Corporations Committee
16 meeting in Room 610 of the LOB as soon as we
17 adjourn.

18 ACTING PRESIDENT GRIFFO: At the
19 completion of session there will be a
20 Corporations Committee meeting in Room 610 in the
21 Legislative Office Building.

22 SENATOR DeFRANCISCO: And there
23 being no further business at the desk, we'll
24 adjourn till Wednesday, May 13th, at 11:00 a.m.

25 ACTING PRESIDENT GRIFFO: On

1 motion, the Senate will stand adjourned until
2 Wednesday, May 13th, at 11:00 a.m.

3 The Senate stands adjourned.

4 (Whereupon, at 4:19 p.m., the Senate
5 adjourned.)

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